REMARKS

In the forgoing claim amendments, claims 1, 5, 8, 9, 11, 12, 14, 15, 18, 20, 23, 24, 25, 29, 30, 34, 38 and 39 have been amended, and claims 43-46 added. Pending in the application are claims 1-46, of which claims 1, 5, 9, 15, 18, 20, 25 and 34 are independent.

Patentable Subject Matter

Claims 5-7, 9-10, 17, 19 and 22 are indicated to recite patentable subject matter. In light of the foregoing claim amendments, Applicants submit that these claims are in condition for allowance.

Claim Amendments

Applicants have amended claims 1, 5, 8, 9, 11, 12, 14, 15, 18, 20, 23, 24, 25, 29, 30, 34, 38 and 39 to clarify the scope of the claimed invention. In particular, claims 1, 15, 18, 20, 25 and 34 have been amended to recite the steps of enabling a user to select one or more differences and merging the selected one or more differences. Support for the claim amendments can be found in Fig. 2 and corresponding description in the Specification. No new matter has been added.

Claim Objection

Claim 14 is objected to because of minor informalities. In the forgoing claim amendments, Applicants have amended claim 14 to address the informalities. In light of the foregoing claim amendments, Applicants request the Examiner to withdraw the objection to claim 14 and pass the claim to allowance.

Claim Rejections - 35 U.S.C. §112

Claims 1-17 and 20-42 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite. In the forgoing claim amendments, Applicants have amended claims 1, 5, 8, 9, 11, 12, 15, 20, 23, 24, 25, 29, 30, 34, 38 and 39 to address the issues raised by the Examiner in the Office Action. In light of the forgoing claim amendments, Applicants request the Examiner to

reconsider and withdraw the rejection of claims 1-17 and 20-42 under 35 U.S.C. §112, second paragraph, and pass the claims to allowance.

Claim Rejections - 35 U.S.C. §102

Claims 1-4, 13-16, 18, 20, 21, 23-28, 32-37, 41 and 42 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5, 845, 270 ("Schatz"). Applicants respectfully traverse the rejection for the following reasons.

The claimed invention relates to a method of merging two electronic diagrams (or state diagrams in claim 15) into one electronic diagram. The claimed invention enables a user to *select which differences should be merged*. The claimed invention programmatically *copies the selected differences* from one of two electronic diagrams into the other electronic diagram at a corresponding location.

Applicants respectfully submit that the cited prior art reference <u>fails</u> to disclose each and every element of the claimed invention. Applicants submit that Schatz <u>fails</u> to disclose enabling a user to select one or more differences between two electronic diagrams, as recited in claims 1, 15, 18, 20, 25 and 34.

Schatz discloses modeling resource flows through systems. In Schatz, the system objects, resource objects and the relationships between the system objects and resource objects may be used to create a network diagram. Schatz also discloses merging network diagrams. See Schatz, column 10, line 64 through column 12, line 36. Schatz discloses merging original network diagrams by adding "a single system u representing one or more systems in a universal class *not included in either of the original network diagrams* (emphasis added)." See Schatz, column 11, lines 19-21. Schatz further discloses that the original network diagrams can be identical, overlapping or mutually exclusive and, if overlapping, duplicate systems in common are removed from the merged tree. See Schatz, column 11, lines 49-52 and 64-67.

In comparison, the claimed invention enables the user to select one or more differences between two electronic diagrams that are to be merged. Schatz does <u>not</u> disclose enabling the user to select one or more differences between two electronic diagrams that are to be merged, as

recited in the claimed invention. Schatz does <u>not</u> disclose selecting which differences should be merged. Schatz discloses at column 9, lines 1-6 that "[a]dditionally, the intersection of row 7 along the y axis (at 412), column 4 along the x axis (at 413) and column 2 along the z axis (at 414) defines a cell (inside the hypercube and not visible from the surface) whose contents indicates whether a second selected resource (R2) flows from system S4 to system S7." In Schatz, the hypercube makes it difficult or impossible for the user to select characteristics to merge because the hypercube hides the matching information.

Additionally, Applicants submit that Schatz <u>fails</u> to disclose programmatically merging the selected one or more differences by copying the selected one or more differences from a selected one of two electronic diagrams into the other electronic diagram at a corresponding location, as recited in claims 1, 15, 18, 20, 25 and 34.

Schatz discloses merging network diagrams by adding "a single system u representing one or more systems in a universal class *not included in either of the original network diagrams*," and removing duplicate systems in common from the merged tree. See Schatz, column 11, lines 19-21, 49-52 and 64-67 (emphasis added). Schatz discloses merging *all* of the differences between the original network diagrams.

In contrast, the claimed invention merges the *selected* one or more differences. In particular, the claimed invention copies the *selected* one or more differences from a selected one of two electronic diagrams into the other electronic diagram at a corresponding location. Schatz discloses merging *all* of the differences between the original network diagrams by adding "a single system u representing one or more systems in a universal class *not included in either of the original network* diagrams." See Schatz, column 11, lines 19-21(emphasis added). Schatz does <u>not</u> disclose merging the *selected* one or more differences. Schatz does <u>not</u> disclose copying the *selected* one or more differences from a selected one of two electronic diagrams into the other electronic diagram at a corresponding location, as recited in the claimed invention.

In light of the foregoing claim amendments and arguments, Applicants submit that Schatz <u>fails</u> to disclose each and every element of claims 1, 15, 18, 20, 25 and 34. Applicants therefore request the Examiner reconsider and withdraw the rejection of claims 1-4, 13-16, 18, 20, 21, 23-28, 32-37, 41 and 42 under 35 U.S.C. §102(b), and pass the claims to allowance.

Claim Rejections - 35 U.S.C. §103

Claims 8, 11, 12, 29-31 and 38-40 are rejected under 35 U.S.C. §103(a) as being obvious over Schatz in view of United States Patent No. 5, 845, 270 ("Hsu"). Applicants respectfully traverse the rejection for the following reasons.

Claims 8, 11 and 12 depend upon claim 1. Claims 29-31 and 38-49 depend upon claims 25 and 34, respectively.

Applicants respectfully submit that the cited prior references fail to teach or suggest all of the limitations of the claimed invention. Applicants submit that Schatz and Hsu fail to teach or suggest the steps of enabling a user to select one or more differences and merging the selected one or more differences, as recited in claims 1, 25 and 34. .

Hsu is cited by the Examiner to provide teachings for a highlighting limitation added in claims 8, 11, 12, 29-31 and 38-40. Hsu, however, does not provide teachings for enabling a user to select one or more differences and merging the selected one or more differences, as recited in claims 1, 25 and 34.

In light of the foregoing claim amendments and arguments, Applicants submit that Schatz and Hsu fail to teach or suggest all of the limitations of claims 1, 25 and 34. Claims 8, 11, 12, 29-31 and 38-40, which depend upon one of claims 1, 25 and 34, are not rendered obvious over the cited prior art references. Applicants therefore request the Examiner to reconsider and withdraw the rejection of claims 8, 11, 12, 29-31 and 38-40, and pass the claims to allowance.

New Claims

Applicants have added claims 43-46 to further clarify the scope of the claimed invention. In particular, claims 43-46 have been added to recite the step of categorizing differences between two electronic diagrams as functional differences or graphical differences. Support for the new claims can be found in other claims and descriptions of the pending application. No

new matter has been added. Since claims 43-46 depend upon claims 1, 15, 20 and 34, respectively, Applicants submit that claims 43-46 are patentable over the cited prior references in light of the reasons set forth above.

New claim 47 is added to recite determining corresponding features of two electronic diagrams, wherein the corresponding features including features of blocks and features of connections between the blocks. Schatz uses only the edges of the graphs to determine whether the graphs match. Schatz discloses that "[t]o merge diverse network diagrams, the resources and systems depicted in the diagrams must be aggregates of one or more known resources or systems, with known and comparable attributes." See, Schatz, Column 11, lines 5-8. A known system by definition will match a system in the universal tree of aggregate systems so Schatz never compares systems. Schatz does compare, however, the connections of the flows and also the resources that travel along the flows. If the systems are known, the matching problem is vastly simplified enabling Schatz to apply the "hypercube" as a matching system.

In comparison, the claimed invention determines corresponding features of two electronic diagrams including the features of blocks and the features of connections between the blocks. The claimed invention does not restrict the graph nodes to known graph nodes. The claimed invention also does not restrict the comparison to graph edges. The claimed invention compares node characteristics and also graph edges in order to find the differences between two graphs. In light of this, Applicants submit that new claim 47 is patentable and in condition for allowance.
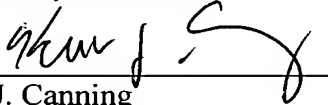
CONCLUSION

In view of the above, each of the presently pending claims 1- 46 in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Applicant believes $570 is due with this response. However, if a fee is due, please charge our Deposit Account No. 12-0080, under Order No. MWS-009RCE from which the undersigned is authorized to draw.

Dated: March 24, 2005

Respectfully submitted,

By _____
Kevin J. Canning
Registration No.: 35,470
LAHIVE & COCKFIELD, LLP
28 State Street
Boston, Massachusetts 02109
(617) 227-7400
(617) 742-4214 (Fax)
Attorney/Agent For Applicant